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FACTSHEET

United States
Department of
Agriculture

Regulatory Enforcement and Animal Care

Animal and
Plant Health
Inspection
Service

March 1995

The Animal Welfare Act: Commercial Animal Dealers



The U.S. Department of Agriculture (USDA) has a history of concern for the health and well-being of animals. The current Animal Welfare Act began with legislation passed in 1966 and has been repeatedly and extensively amended.

The law requires the humane care and treatment of certain animals sold as pets at the wholesale level, transported in commerce, and used in research or exhibits. Individuals dealing with such animals must be registered or licensed by USDA. They also must comply with regulations and standards enforced by the Department's Animal and Plant Health Inspection Service (APHIS).

Although the Act generally does not cover pets in retail stores, APHIS does inspect the businesses that supply such stores with dogs and cats. Regulation is necessary because some animal breeders and dealers do not provide adequate care. However, the majority of these operations are committed to raising and selling healthy pets.

Standards of Care

Businesses in the commercial pet trade must maintain APHIS standards for veterinary care and animal management. The requirements cover housing, handling, sanitation, food, water, and protection against extremes of weather and temperature. Federal animal care standards are minimal, not ideal. Regulated individuals and businesses are encouraged to provide care that exceeds the specified minimum, and many do.

Breeders and dealers must also employ a full-time veterinarian or arrange for a veterinarian to visit their business regularly. If an outside veterinarian is employed, that individual must establish and document a written program of veterinary care and submit it to APHIS for review.

To help prevent trade in lost or stolen animals, APHIS requires breeders and dealers to keep records that identify the source and disposition of all regulated animals that come into their possession.

Shipping and Handling

APHIS enforces specific regulations and standards governing the transport of animals by air, truck, or train. These rules help ensure that regulated animals are treated

humanely by licensed dealers, contract carriers, and intermediate handlers.

Transported animals must meet established age and health certification requirements. They also must be housed in safe, sound containers with adequate space, ventilation, and protection from extreme temperatures. Animals arriving at a terminal must be promptly picked up and must receive proper care until they are retrieved.

Licensing and Inspections

It is the responsibility of the animal breeder or dealer to obtain a license from APHIS. After application has been made, APHIS officials inspect the prospective animal facilities to determine if they are in compliance with Animal Welfare Act standards and regulations. If the operations are sufficient, a license is issued, and business can begin.

To ensure that the standards are maintained, APHIS conducts unannounced inspections of the business and its animals. If problems are found, APHIS instructs the owner to correct them. If violations are not corrected by a given date, APHIS can take legal action to enforce the requirements. Penalties can include a fine, license suspension or revocation, confiscation of animals, or even a prison sentence.

Working Together

The Animal Welfare Act protects most animals involved in the commercial pet trade, but it does not cover all animals in all situations. Animals sold in pet stores, owned by individuals, or housed in shelters and pounds are generally not covered by the Act. Fortunately, most State and local governments also have laws that protect animals. APHIS encourages concerned individuals to work with Federal, State, and local officials as well as local humane

organizations to help eliminate the cruel treatment of animals.

For more information about the Animal Welfare Act, write to:
Regulatory Enforcement and Animal Care
APHIS, USDA
4700 River Road, Unit 84
Riverdale, MD 20737

APR 1987

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